

**SUPREME COURT MINUTES  
MONDAY, MARCH 1, 2004  
SAN FRANCISCO, CALIFORNIA**

**S099822**

C037025 Third Appellate District

CATHOLIC CHARITIES OF SACRAMENTO v. S.C.  
(DEPT OF MANAGED HEALTH CARE)

Opinion filed: Judgment affirmed in full

Majority Opinion by Werdegarr, J.  
---- joined by George, C.J., Baxter, Chin,  
Moreno, JJ.  
Concurring Opinion by Kennard, J.  
Dissenting Opinion by Brown, J.

**S106843**B151885 Second Appellate District,  
Division Seven

V. (JESUSA), IN RE

Opinion filed: Affirmed in part, reversed in part

Majority Opinion by Baxter, J.  
---- joined by George, C. J., Brown, and  
Moreno, JJ.  
Dissenting Opinion by Kennard, J.  
---- joined by Werdegarr, J.  
Dissenting Opinion by Chin, J.

**S121650**D040271 Fourth Appellate District,  
Division One

ROSALES v. BATTLE

Time extended to grant or deny review

to April 2, 2004

**S121702**B154584 Second Appellate District,  
Division Eight

MURPHY v. SEIDMAN

Time extended to grant or deny review

to April 5, 2004

**S121742**A098625 First Appellate District,  
Division ThreeDAVIDSON (DOLORES), CONSERVATORSHIP OF  
ESTATE OF

Time extended to grant or deny review

to April 2, 2004

**S121827**G030868 Fourth Appellate District,  
Division Three

ABRAHAM v. W.C.A.B. (CITY OF BUENA PARK)

Time extended to grant or deny review

to April 6, 2004

**S121872**

C043583 Third Appellate District

NATIONAL TAX-LIMITATION COMMITTEE v.  
SCHWARZENEGGER, AS GOVERNOR, ETC.  
Time extended to grant or deny review

to April 12, 2004

**S121882**B158569 Second Appellate District,  
Division TwoNINETY NINE INVESTMENTS, LTD. v. OVERSEAS  
COURIER SERVICE (SINGAPORE) PRIVATE, LTD.  
Time extended to grant or deny review

to April 9, 2004

**S121887**B161491 Second Appellate District,  
Division FiveCONSUMER ADVOCATES v. ECHOSTAR  
SATELLITE CORP.  
Time extended to grant or deny review

to April 13, 2004

**S121933**B121917 Second Appellate District,  
Division FourSIMON dba LIBERTY PAPER CO. v. SAN PAOLO  
U.S. HOLDING CO., INC.  
Time extended to grant or deny review

to April 9, 2004

**S121937**B164797 Second Appellate District,  
Division SixSERVICE EMPLOYEES INTERNATIONAL UNION  
LOCAL 998 v. S.C., COUNTY OF VENTURA  
Time extended to grant or deny review

to April 12, 2004

**S121952**B167607 Second Appellate District,  
Division TwoGOEL v. S.C. (SALOMON SMITH BARNEY INC.)  
Time extended to grant or deny review

to April 15, 2004

**S121972**

C042523 Third Appellate District

BLACK DIAMOND ASPHALT v. S.C. (ADAMES)  
Time extended to grant or deny review

to and including April 15, 2004

**S122060**

E031527 Fourth Appellate District,  
Division Two

COACHELLA VALLEY MOSQUITO v.  
CALIFORNIA PUBLIC EMPLOYMENT REL. BD.  
Time extended to grant or deny review

to April 15, 2004

**S029588**

PEOPLE v. RICHARDSON (CHARLES)  
Extension of time granted

to May 7, 2004 to file appellant's opening brief.  
After that date, only one further extension  
totaling about 60 additional days will be  
granted. Extension is granted based upon  
counsel Richard Jay Moller's representation that  
he anticipates filing that brief by 6/30/2004.

**S042660**

PEOPLE v. DEMENT (RONNIE D.)  
Extension of time granted

to April 27, 2004 to file appellant's opening  
brief. The court anticipates that after that date,  
only two further extensions totaling 120  
additional days will be granted. Counsel is  
ordered to inform his or her assisting attorney or  
entity, if any, and any assisting attorney or  
entity of any separate counsel of record, of this  
schedule, and to take all steps necessary to  
meet it.

**S044677**

PEOPLE v. HORNING (DANNY RAY)  
Extension of time granted

to April 30, 2004 to file appellant's reply brief.

**S045184**

PEOPLE v. BONILLA (STEVEN W.)  
Extension of time granted

to April 26, 2004 to file appellant's reply brief.  
After that date, only one further extension  
totaling about 30 additional days is  
contemplated. Extension is granted based upon  
counsel David A. Nickerson's representation that  
he anticipates filing that brief by 5/22/2004.

**S052808**

PEOPLE v. GAMACHE (RICHARD C.)  
Extension of time granted

to May 3, 2004 to file appellant's opening brief. After that date, only one further extension totaling about 30 additional days will be granted. Extension is granted based upon counsel Richard Jay Moller's representation that he anticipates filing that brief by 6/2/2004.

**S055415**

PEOPLE v. COWAN (ROBERT W.)  
Extension of time granted

to May 3, 2004 to file appellant's opening brief. The court anticipates that after that date, only one further extension totaling 60 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

**S059653**

PEOPLE v. MILLS (JEFFERY JON)  
Extension of time granted

to April 23, 2004 to file appellant's opening brief. The court anticipates that after that date, only one further extension totaling 60 additional days will be granted. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

**S073253**

PEOPLE v. GUTIERREZ (ALFRED A.)  
Extension of time granted

to April 19, 2004 to file appellant's opening brief. After that date, no further extension will be granted. Extension is granted based upon counsel H. Mitchell Caldwell's representation that he anticipates filing that brief by 4/18/2004.

**S073596**PEOPLE v. LANCASTER (ANDREW)  
Extension of time granted

to April 23, 2004 to file appellant's opening brief. After that date, only one further extension totaling about 60 additional days will be granted. Extension is granted based upon counsel Roger Teich's representation that he anticipates filing that brief by 6/21/2004.

**S074624**PEOPLE v. MARTINEZ (TOMMY)  
Extension of time granted

to May 3, 2004 to file appellant's opening brief.

**S110791**JONES (ERNEST) ON H.C.  
Extension of time granted

to April 23, 2004 to file the response to motion for post-conviction discovery. After that date, only one further extension totaling about 30 additional days will be granted. Extension is granted based upon Deputy Attorney General Herb Tetef's representation that he anticipates filing that document by 5/23/2004.

**S114888**

F038004 Fifth Appellate District

PARNELL v. ADVENTIST HEALTH SYSTEM/WEST  
Extensions of time granted

to March 29, 2004 for Consumer Attorneys of California, City and County of San Francisco and League of California Cities, to serve & file its amicus brief. No further extensions of time will be granted. An answer to the amicus brief may be served & filed by any party within 20 days of the filing of the brief.

**S116358**G028814 Fourth Appellate District,  
Division ThreeWIENER v. SOUTHCOAST CHILDCARE CENTERS  
Extension of time granted

for respondents to file a consolidated answer to the amicus curiae briefs, to March 2, 2004

**S117838****BROWN (PAUL MADISON) ON H.C.**  
Extension of time granted

to April 2, 2004 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only eight further extensions totaling about 240 additional days will be granted. Extension is granted upon counsel Geraldine S. Russell's representation that he anticipates filing that document by 11/23/2004. Counsel is ordered to inform his or her assisting attorney or entity, if any, and any assisting attorney or entity of any separate counsel of record, of this schedule, and to take all steps necessary to meet it.

**S118561**A093424 First Appellate District,  
A093649 Division Three**KINSMAN v. UNOCAL CORPORATION**  
Extension of time granted

Respondent's time to serve and file the answer brief on the merits is extended to and including March 31, 2004.

**S119230**A098085 First Appellate District,  
Division Two**PEOPLE v. JOHNSON**  
Extension of time granted

Appellant's time to serve and file the answer brief on the merits is extended to and including April 30, 2004.

**S119498**C032633 Third Appellate District  
C034943  
C040263**STATE PERSONNEL BOARD v. DEPARTMENT OF  
PERSONNEL ADMINISTRATION**  
Extension of time granted

to March 8, 2004 for respondent Association of California Attorneys and Administration Law Judges to file the answer brief on the merits.

**S119948**D040184 Fourth Appellate District,  
Division One**PEOPLE v. AULT**  
Extension of time granted

to March 16, 2004 for appellant to serve & file the reply brief on the merits, on the

representation of Craig E. Fisher, counsel for appellant, that he expects to complete & file appellant's reply brief by 3-16-04. No further extensions of time are contemplated.

**S120420**

LEWIS (ALBERT) ON H.C.  
Extension of time granted

to March 29, 2004 to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only one further extension totaling about 30 additional days is contemplated. Extension is granted based upon counsel Eric S. Multhaup's representation that he anticipates filing that document by 4/28/2004.

**S120980**

MONTERROSO (CHRISTIAN) ON H.C.  
Extension of time granted

to March 30, 2004 to file the informal response to the petition for writ of habeas corpus. Extension is granted based upon Deputy Attorney General David Delgado-Rucci's representation that he anticipates filing that document by 3/30/2004. After that date, no further extension is contemplated.

**S104019**

F031142 Fifth Appellate District

GERAWAN FARMING, INC. v. LYONS, AS SECTY.  
OF CALIF. DEPT. OF FOOD & AGRICULTURE  
Orders filed (3)

- (1) The application of Seth P. Waxman to appear as pro hac vice for amicus curiae California Table Grape Commission at oral argument is hereby granted
- (2) The request of counsel for respondents to allow two counsel to argue on behalf of respondents at oral argument is hereby granted.
- (3) The request of respondents to allocate to amicus curiae California Table Grape Commission 10 minutes of respondents' 30-minute allotted time for oral argument is granted.

**S104477**

G026626 Fourth Appellate District,  
G027036 Division Three

GAVALDON v. DAIMLERCHRYSLER

Request for judicial notice granted

Appellant's request for judicial notice, filed on  
November 14, 2002, is granted.

**S111494**

D037680 Fourth Appellate District,  
Division One

PEOPLE v. KONOW

Orders filed

- (1) Permission granted for two counsel to argue on  
behalf of respondents.
- (2) Permission granted for respondents to allocate  
20 minutes of oral argument time to Matthew  
Braner and 10 minutes to Michael J. McCabe.